RAPID TRANSIT SCHEMES

MAYOR GRANT'S BILL REPORTED I BOTH HOUSES YESTERDAY.

ne senate committee approach to to con-sideration Only, and it was Made the Special Order for Tuesday Next—The As-sembly Committee Added the Areado Road Amendment, and it was Made the Special Order for Wednesday Next.

ALBANY, April 4 .- The Senate and Assembly Railroad Committees met this morning and tinkered with the Mayor's Rapid Transit bill before reporting it. In the Assembly it came cut with the Arcade road amendment and the amendment excepting the Cable Road Commission from the dissolution which the bill brings to the other ancient Rapid Transit Commissions. There was a lively session of each committee, which sat in secret. The elevated road people were defeated in both committees by a tie vote. The cable people won a partial victory, and the Arcade people were triumphant in the Assembly Committee. The fight of these corporations was to use the Mayor's Rapid Transit bill as an omnibus within which they could all be racked and carried through the highways of legislation to the Secretary of State's office. The cable, Arcade, and elevated people would have been victorious in the Senate Ballroad Committee had it not been that Senator Lewis is nomesick. The cable people tried to get him to Albany, but he was unable to come. His vote would have settled the tie in favor of the corporations. It was with his vote that the Cable bill was reported before.

When the Assembly committee met, Mr. Adams moved to insert the whole Cable bill. That motion was lost. Chairman Kimball moved to insert the elevated road amendments. Three members of the committee were absent and did not vote, and the amendment was lost by 4 to 4, Kimball, Comstock, McAdam, and Baker to 4. Almani, Comstock, McAdam, and Baker voting with the Elevated road. Then the Arcada road was inserted by a vote of 6 to 3. Mr. Creamer moved to cast out the cable amendment already in the bill, but his motion was lost by a vote of 3 to 6. The other two were Mr. Mase and Mr. Adams, who insisted on getting the whole cable road or nothing. Mr. McAdam moved to report the bill for consideration only. This metron was lost, 2 to 6. The bill was then reported have rably.

moved to report the bill for consideration only. This metics was lost, 2 to 6. The bill was then reported hay crably.

The bill differs from the Mayor's Rapid Transit bill in executing Broadway from the list of the oxemited streets and in permitting Rapid Transit bill in executions from the list of the oxemited streets and in permitting Rapid Transit Commissioners to be appointed by the Mayor to consider the question of an underground road on Broadway. A section is added providing that Broadway shall not be used for anything but an underground road, and that no elevated road shall be remitted on it. There is also a provision in the bill partially recognizing the existence of the Cable load Commission. A sught change in the engrossing room would turn this section into an enaction of the cable road scheme. When the bill was reported Mr. Creamer asked that it be made a special order for next Wednesday. It was so ordered.

In the Senate committee there was a series of the votes through the absence of Senator Lewis, who is a cable road man. Senator Coggoshall moved to insert an amendment permitting an underground road on Broadway. The vote was Coggeshall, Pierce, and Russell against Walker. Murphy, and McNaughton. Senator Pierce moved to put in the cable road, it was lost by the same vote. Senator Murphy moved to report the bill favorably se it came from the Mayor. This was lost. Senator Pierce moved to report the bill for consideration only. This was carried by a vote of 4 to 2. Senators Walker and Murphy dissented from the report for consideration only, as they favored a favorable report.

able report.

On motion of Senator Ives, who has been ill and disregarded his doctor's instructions to appear in the Senate this morning, the Rapid Transit bill was made a special order for Tuesday merming next, by a vote of 18 to 6. Coggeshall, Erwin, Fassett, Raines, Russell, and Veider voted no. The attempts to amend the bill which were made in committee, will be renewed when the bill comes before the Senate. The Rainead Committee also reported Senator Erwin's bill to enable street car companies who think they are paying too much to seduce the percentages they pay the city.

Col. Johnstone Livingston de Peyster has gone home. He says that he has been in the Assembly over three months, that the windows have not been ocened once in all that time, and that he does not cars to have his blood carbonized by breathing sewer gas.

A committee from the General Court of Massachusetts went to the Capitol to-day and saw the animals perform. Their object was to view the building, and to draw from 't instructive lessons for the Legislature of Massachusetts, which thinks that the population of that State has increased enough to warrant a vaster or, panse of gilded dome and a larger elevated codfish. The Massachusetts, which thinks that the population of the State through the Bioomingdale Asylum property. He was helped by the course of Elbridge L. Gerry and other members of the Four Hundred toward the Legislature. Several members of the Centennial Committee are officers of the New York Hospital Association, which outs the mand passed Mr. Connelly's bill by a vote of 17 to 33.

Mr. Crosby's bill to appoint a commission to consider the advisability of consolidating New York. Brooking, Westchester, Queens, and On motion of Senator Ives, who has been ill

a vote of 77 to 33.

Mr. Crosby's bill to appoint a commission to consider the advisability of consolidating New York. Brooklyn. Westchester. Queens, and Richmond counties was sent to a third reading in the Assembly this morning. Mr. Crosby said that the Commission would report a bill to the Legislature. It was largely a question of sentiment and there was no politics in it. The new city would have 250,0,000 people, and would not interfere with the local politics of any cities composing it. There could be the same Mayor over both New York and Brooklyn, and a general council representing all the municipalities, without interfering with the local affairs of a ny of them. Mr. McCaren said that this bill is a hobby of Andrew H. Green, who has a number of other hobbies, and who has has mare in several commissions that are

in the investigation of any of them. Mr. McCarren said that this bill is a hobby of Andrew H. Green, who has a number of other hobbies, and who has his name in several commissions that are proposed in pending bills. The Brooklyn delegation opposed the bill.

The adverse report of the Assembly Committee on links on the McKenzie bill, reducing the legal rate of interest to 5 per cent., was disagreed to by the Assembly, and the bill was placed on the calendar.

Gen. Husted introduced a bill providing for the ventilation of the Capitol, the plugging up of the holes in the sewers and drainage pipes, and the making of the building habitable. Two weeks ago, after the winter was over, storm windows were put up around the Assembly Chamber. Through the presence of hundreds of men for over three months, without the opening of a window, the Assembly Chamber. Through the presence of hundreds of men for over three months, without the opening of a window, the Assembly Chamber. Through the presence of hundreds of men for over three months, without the opening of a window, the Assembly Chamber. Through the presence of hundreds of men for over three months, without the Bigh Liceane bill came over from the Assembly. Liceane logislation in the Senate goes to the Committee on Internal Andairs, and it has been considered by that committee for soveral years. The members of the committee as seen considered by that committee for soveral years. The members of the committee. So instead of referring the bill to him Senators E-wis member, is the only one able to attend to the business of the committee. So instead of referring the bill to him Senators E-wis moved to refer it to the Committee on Judiciary, which has nothing to do with excise questions, but where the Republicans did not send it then because one of the Republicans have a two-thirds majority. Senator Grady suggested that if the Republicans did not send the bill to the Committee on Internal Affairs. He said that the Republican Senators had in his resignation was accepted.

When

say, as not less than \$1.200 nor more than \$1.800 as her annum.

The Assembly Judiciary Committee has prepared a bill, to be reported to the House, which speaks subdivision 11 of section 75, chapter 6, lite 3. Part II, of the Revised Statutes, so as to allow the inheritance in succession of personal property by any relative of the deceased owner of such property.

of such property.

At the evening session of the Assembly the restoral Reform bill was, on the motion of it. Saxton, made a special order for next resolar morning for final bassage immediately after the reading of the journal.

Mr. Savery reported from the Prisons Committee his Prison Labor bill, amended, for the consideration of the House, It was sent to the Committee his Passed were these:

Mr. Recach's—Amending the New York city consol-

Mr. Rosents-Amending the New York city consol-itation act relative to tenement houses, and the render-land or citing relitings impervious to dampness, senator rierces amonding the charter of the Flat-banding the part imment. Ar flusted a declarive to lighting the fitate camp at Fine of a clearing to lighting the State camp at all by means of electricity, also applying to a University the benefits of the act of Courgess a through the control of agricultural experiment stalater Robertson's Amending section 30s of the of deby making it a misdemession to sail or give / ligar or robacco itser form, or for a parent of the loan money to any close sections or apparent of the loan money to any close sections or apparent of the control of the parent of the control o New York ally Por repaying streets and avenues in POWDERLY ON PEISON LABOR.

The Aim of the Knights Contrasted with that of the Philanthropists,

SCRANTON, April 4.-General Master Worknan Powderly has written a reply to the latter published by Henry Warner of the Allegheny county workhouse concerning a bill now pending before the Pennsylvania Legislature, entitled " An act regulating the employment of convicts and inmates of the penal and reformstory institutions within the State." Mr. Pow-

derly says:
"If Mr. Warner has written me such a letter he has forgotten to mail it. As it is not called an open letter, I am at a loss to know how it found its way into print before finding its way to me. In this letter Mr. Warner seems to be laboring under a misapprehension as to his base of attack, or action rather. Mr. Warner knew knothing of the bill, and has not up to this writing seen a copy of it. He is not competent to criticise the bill in question. Mr. Warner says he has 'a contempt for any class of workingmen who would concern themselves about entering into competition with prison So have I, and during all my experience I have never heard of workingmen concerning themselves about entering into competition with prison labor until it has entered into competition with them. Possibly it will be as well to relieve his mind as to the aim of the order of the Knights of Labor concern ing convict labor. The twelfth section in the preamble of the order says that the nim of the association to prohibit the then aim of the absolution to prohibit the hiring out of convicts. It is not the intention to add to the number of the insane by keeping the convict is ideness. No one has ever heard a member of the Knights of Labor who understands the principles of his order contend that convicts should be kept in idieness; neither do Knights assert that they should not work at such trades and occupations as may be followed on the outside of prisons; but we do contend that honest workmen should not be compelled to enter into unfair competition with those who have been locked up for their misdeeds. The hiring out of convicts is what we complain of, and all fairminede due me will admit we have a good case.

"It it is right to teach a man a trade on the inside of a prison, why not teach him the hours after he is released to the prison without a delar in his pocket, no friends, no knowledge of hie surroundings, and no chance to get work, his every effort at obtaining employment balked, with 'philanthropists' who sympathize with him only when he is earning money for them in prison walls—what chance has he to reform? If he had learned a whole trade on the inside it would be different; and while it is considered right to instruct a man in some occupations a trial? The fitness of the convicts for certain avocations should be considered. Some are naturally keen and bright, and were incarcated for some shrewd piece of swindling. Why not make lawyers of them? Others were imprisoned for attempting to amputate or carve an arm or an ear belonging to a neighbor. Why not attempt to reach the morals, the intellect, the mental man as well as the physical, by training the healand when the prison walls as well as the hands? Some are plous rogues, as plous as some of the 'philanthropists.' Why not attempt to reach the morals, the intellect, the mental man as well as the physical, by training the healand when the liberated?

"I believe that an investigation will show that our prisons and penticular, but want for the part of competitors; then follow

"If all criminals were employed on State or national work, improving waste blaces, making habitable certain, localities, reclaiming taste lands, &c., there would be plenty to do for all of our criminals, and they would not be doing work that would interfere with tradesmen or laborers in cities or towns; and if they were permitted to occupy the lands they reclaimed, instead of allowing some sharks to monopolize them for speculative purposes, they could lay claim to something they could eall their own after serving out their time. It was not that prisons should earn dividends for contractors that they were erected.

"Here is the aim of the Knights of Labor regarding convicts: Do not keep criminals in idleness, but do not throw their labor on the market for a less price than that paid to honest labor; reform the imprisoned as well as punish them; give them work for their brains to do as well as their hands; teach them how to be Christians while teaching them how to work; take what is given to the contractor of their earnings and give it to themselves when they leave prison, or allow their earnings to go to the support of their families if they have any, instead of throwing these families on the charities of the town, while the prison contractor reaps a reward from crime that causes him to wish that the crop of criminals may grow larger. If a little more of the sentiment and attention now given to the prisoners by 'philanthropists' and specialists were bestowed upon the already stricken workmen who are now being driven toward to keep honest workmen employed at remunerative wages that is shown to make convicts beneficial to contractors, we would have fewer prisoners, and the majority of criminals inhabiting prisons would in all probability do the first hard day's work of their lives after being locked up. "T. V. Powdenty."

The Celling Investigation.

ALBANY, April 4 .- The Fish Investigating Committee heard Speaker Cole testify this afternoon about a \$4,000 draft which he had in his possession last fall and about a \$4,000 gold certificate which he also had at one time. said that he had borrowed this money on his note, and he produced the man who said he had loaned the money. The note was also put

had loaned the money. The note was also put inevidence. The Sneaker said that he berrowed the money to buy some bank stocks to secure control of a Watkins bank.

John G. Burch, Jr., who testified that he was a professional magician and Contractor Snaith's paymaster, told of his meeting Architect Rowe in Philadelphia. He said that it was his duty to get the money for the men and put it up in pay envelopes.

The sub-committee, Mr. McMaster and Mr. Bush, who have been examining the antecedents and actions of Contractor Snaith and Speaker Cole at their homes, reported to the full committee this afternoon and turned in their testimony. The committee expects to make a report within a week or ten days. They have not found Contractor Snaith, and they do not seem to be certain about where he is.

HARTFORD, April 4 .- In the House this morning a motion to recall the resolution passed last week commuting the sentence of Swift, the wife murderer, to life imprisonment failed to pass by a vote of 83 years to 102 nays. falled to pass by a vote of 83 year to 102 nays. Both branches of the Legislature have adjourned, and Gov. Buikeley has not yet signed the resolution commuting Swift's sentence. Swift must hang before 2 P. M. to-morrow unless the Governor signs the resolution or allows it to become law without his signature. It is thought at the Capitol extremely unlikely that the Governor will veto the resolution. S. O. Frentice. Gov. Bulkeley's Executive Secretary, said at 2 P. M.:

"Gov. Bulkeley, in view of the action of the House this morning, the significance of which has not yet been able to ascertain, has decided to take no action as to signing er vetoin the resolution commuting Swift's sentence until to-morrow. Meanwhile he will grant a reprieve of a few days."

An Abscording Postmaster.

ELMIRA, April 4 .- George W. Ward, Assistant Postmater in this city, has disappeared, and \$15,000 in Government funds are reported missing. Ward took train No. 5 for the West Wednesday morning. He was appointed under a previous Administration, and was retained by Postmaster Balcock on civil service reform principles. Ward is married, and has a family living in this city. NOT WRITTEN BY MISS CODY.

And Contractor Tracy Believes It Is In Mrs. Tracy's Hand-Evidence as to Ded-geon's Relations With Mrs. Tracy Not Admitted at the Trial Testerday.

The trial of Frank P. Dudgeon, who is charged with compassing the death of Miss Kitty A. Cody, was continued yesterday in the Court of Sessions in Brooklyn. As the trial progresses the interest in the case seems to increase, and Dudgeon, who evidently fully realzes his peril, found it difficult to make his way to the court room through the dense crowds which packed the corridors yesterday. His flushed face and nervous manner showed that the ordeal he is undergoing is a trying one. Mr. Clarke, the youthful Assistant District Attorney, fully unfolded the theory of the prose-cution, and tried to prove that the so-called "letter of exculpation." which Miss Cody is said to have written to Dudgeon on her deathbed, was a forgery, and that its author was Mrs. Tracy, the wife of Thomas F. Tracy, the well-known New York contractor, with whom, as alleged, Dudgeon was living at the very time of his trouble with Miss Cody. The rules of evidence, however, as interpreted by the of evidence, however, as interpreted by the Court, proved a serious embarrassment to Mr. Clarke in his efforts to bring the facts of the Tracy-Dudgeon scandal to the attention of the jury. Enough, however, was disclosed to show there is another skeleton in the Dudgeon closet. Nellis Cody, a sister of the deceased girl, who was carried from the stand in a laint on Wednesday afternoon, was recalled yesterday morning. On her way to the witness chair she had to pass close to that occupied by the defendant, and, on approaching it, she showed her strong aversion to him by turning her head in another direction and controlling her movements so that she might not touch him. She testified that on the night of Dec. 26, while she and Kitty were employed as servants with Mrs. Anyon of 85 West Thirty-ninth street, a district telegraph messenger boy brought a package and letter to the house. They were addressed to her sister. Kitty was absent at the time and witness opened the package. It contained a bottle with some liquid and an instrument similar to the one found by Mrs. Harriman in Miss Cody's room after her death. Witness also opened and read the letter, and then passed it to Mrs. Anyon, who also read it. When kitty came back the package and letter were given to her, and she put them in her trunk. Q-Wan did you next see that letter? A-It was not until the day after Kitty's death. I found it in her trunk, which had been sent to our home at Opsir, Bay by Ara. Anyon. I burned the letter, but kept the envelope.

Q.—Do you remember what the letter said? A-Ir emmember only a little of it—the beginning and the end.

Mr. Clark tried to get her best recollection of the coverage, of the letter, but Judge Moore Court, proved a serious embarrassment to Mr.

velope.

Q.—Do you remember what the letter said? A.—I remember only a little of li—the beginning and the end.

Mr. Clark tried to get her best recollection of the contents of the letter, but Judge Moore ruled against him, on the ground that the beginning and the end might be explained, modified, or entirely done away with by what was stated in the body of the letter.

The witness then detailed how the recelpt of the package and the letter led to the immediate discharge of Kitty and herself by Mrs. Anyon. The sisters came to Brooklyn that right and slept at the Clinton House in Fulton street. On Jan. 4, while witness and Kitty were stopping at Mrs. Reynolds's house, in Third avenue, Dudgeon cailed and asked for Kitty, who went down and saw him in the hallway. Kitty told him that he should not have sent the letter and package, as she (witness) and Mrs. Anyon had made a Juss about it. There was no name, label, or direction on the bottle.

Mrs. Maud B. Anyon, the lady referred to in Nellie's testimony, was then examined. She remembered the letter and package coming to her house for Kitty. The letter was one instructing Kitty how to use the articles contained in the package. She remembered the contents of the letter, for they had surprised her. The letter was addressed "Dear Puss," and was signed "Petie." Subsequently, Mrs. Anyon said, she received this letter from Dudgeon.

Mss. Asyon: Please let me kfow where Kitty's trunk is I good have it picase send it. I am told it wan to

Max Arron: Please let me know where Klity's trunk is. If you have it please send it. I am told it went to Hrooklyn last week. If so, tell bearer where it went. As I am Klity's husband, I have the right to ask for it. F. P. Duddon.

This is the letter which Paying Teller Nash of the Oriental Bank swore on Wednesday was in Dudgeon's handwriting.

Soon after receiving this letter, Mrs. Anyon said she had received this:

Mrs. Arros: Give expressman my trunk and oblige.

Kittt Coor.

Mrs. Anyon said that she had already sent the trunk to Oysier Bay.

Dr. A. W. Shepard was recalled and testified that an instrument, such as is said to have been in the package sent by Dudgeon and similar to the one found in Kitty's room after her death, could have caused the injuries which resulted in peritoritis. This was in flat contradiction of Dr. Hall's testimony to the effect that such an instrument was harmless.

Contractor Thomas F. Tracy of 230 Thirty-ninth street was next examined. He is the husband of the Mrs. Tracy with whom Dudgeon is alleged to have been living at a Schermer-horn streetflat during Miss Cody's fatal fliness. He identified the handwriting of certain letters handed to him by Mr. Clarke as that of his wife. He was well acquainted with his wife's handwriting, be said, and could swear to it. The "letter of exculpation" was then handed him, and he declared that it was in his wile's handwriting. Mr. Tracy was not allowed to testify as to the alleged improper relations of Dudgeon with Mrs. Tracy.

Daniel T. Ames of Elizabeth, an expert in handwriting of forty-five years' experience, was called. The letter of exculpation and a letter which was admitted to be in Miss Cody's handwriting were handed to him. He testified that in his opinion they were not written by

was called. The latter of exculpation and a latter which was admitted to be in Miss Codys handwriting were handed to him. He testified that in his oblinion they were not written by the same person. There were several marked differences in the mechanical arrangements, in the snace between the letters and in the forms of several characters. While there were striking similarities between the letters there were very great differences. The signature to the letter of exculpation he believed to be a very clumsy imitation of that attached to the other letter. Witness admitted that a person very sick and propped up in bed would be likely to write in a much coarser manner than if in a normal condition. Mr. Ames compared the signature to the marriage certificate, which was admittedly written by Miss Cody, with that of the letter of exculpation. He thought them too much unlike to have been written by the same person. The letter he considered to have been copied by an unskilled hand.

Edward Mechan, Jr., was called to testify as to the alleged relations of Dudgeon and Mrs. Tracy, but Judge Moore stopped all Inquiry on that point, remarking: I don't see, Mr. Clarke, how you can get Mrs. Tracy into the case yet."

Mr. Clarke, expressed his disappointment at

Clarke, how you can get Mrs. Tracy into the case yet.

Mr. Clarke expressed his disappointment at not being able to follow up this line of the prosecution, as he had haif a dozen witnesses in reserve by whom he expected to prove that Dudgeon was carrying on a liaison with the contractor's wife at the very time Kitty Cody was lying dead in her coffin at Mrs. Harrimen's flat.

The trial will not be resumed until Monday. The postponement was out of respect to the late ex-Judge McCue, whose funeral takes place to-day.

Col. Robert Townsend of Oyster Bay, who is interesting himself in the prosecution of Dudgeon, and Lawyer Anthony Barrett, a warm personal friend of the defendant, had a row in the court room just before the trial was

warm personal friend of the defendant, had a row in the court room just before the trial was resumed yesterday. Co. Townsend took a seat close to that of the lawyer, and turning to him said: "Good morning, Mr. Barrett."

To this the latter, according to Col. Townsend, discourteously replied:

"What right have you, sir, to speak to me? I've a good mind to spit in your face." I will meet Mr. Barrett under other circumstances some day and invite him to carry out his threat. Whether he accepts or not he will be thrashed, and by me, too."

National Guardsmen Don't Want Nev

Much dissatisfaction has been occasione among the officers of the different regiments of the Na tional Guard by the order recently issued at Albany re tion overcoats. Although the orders were issued last October, very few of the officers have supplied themselves and but little attention has been paid to the notification. The parade of April 30 has awakened interest in the matter, however. They think that some provision should be made to supply them with new coats as well as the emisted men. Many of the officers who have been elected within a year purchased overcoats before the new orders were leasted, supply into themselves with they were elected. While it is not probable that any one will absolutely refuse to supply himself, yet there is complicate the quantity of the officers of the First Brigade.

A Fine Irish Clipper Ship,

The Irish clipper ship, Walter H. Wilson, named after a shipping merchant of Belfast, began discharging her cargo of lute, ginger, indigo, and salipetre at Harbeck's Stores, Brooklyn, vesterday. She carries at Harbeck's Stores, Brooklyn vesterday. She carries about 4.000 tons of cargo on a registered tonnage of 2.401, and her passage of ninety-nine daysfrom Calcinia to this port is said to be the best on record. The Wisson is a four masted ship, and one of the handsomest vessels that ever came to New Nork. She is NOS feet long by 41 feet beain, and 24 feet 9 inches depth of hold. By the standard of the handsomest vessels that ever came to New Nork. She is NOS feet long by the feet and the spreads 10.0 feet of the handsome seed of t

Mr. Cleveland Returns Thanks,

At the regular meeting of the Chamber of Commerce yesterday a letter was read from Lawyer Grover Cleveland to Sectetary George Wilson, saying:

1 desire to express brough you to the Chamber of Commerce my appreciation of the honor conferred upon me by my election as an honorery member of that distinguished organization. upon me by in' election as an nonorary meants in the Legisla-diatinguished organization.

The thamber approved the bill pending in the Legisla-ture to prevent the construction of any railroad through the Niegara reservation and the forest reserve or any lands now in the care or control of the Commission actabilished to prevent ancroachments on the Adirondack forest or other forest lands. CO-RESPONDENT HARNEY'S STORY.

His Relations with Mrs. Cooney were In-EXPERT AMES THINKS THE "LETTER OF EXCULPATION" WAS FORGED. nocent, he Says-Mrs, Harney's Jenionsy, The suit of Warren Cooney for divorce was

resumed yesterday in the Court of Chancery in Jersey City. William Harney, the wealthy real estate dealer who is co-respondent in the case, swore that he became acquainted with Mrs. Cooney through renting her a house. He afterward called at the house several times to see about making repairs. On these occasions Mrs. Cooney told him that her husband treated her badly. Gertrude McDowell, her maid, told him the same. He sympathized with her, and when she asked him what she should do he told her to leave her husband and see a lawyer. She followed his advice, and he called on her several times at Taylor's Hotel when she her several times at Taylor's Hotel when she went there to live after she had left her home. She had no money to speak of, and he loaned her various sums, altogether about \$1,000. He had never seen her except when a third person was present, he said. He admitted that he was paying Mrs. Cooney's counsel fees in this case. When asked whether he was a married man. Mr. Harney said:
"Yes, very much married."
"What do you mean?" asked Mr. Cooney's counsel.

"Yes, very much married."
"What do you mean?" asked Mr. Cooney's counsel." replied Mr. Harney, "that when a man is in trouble of this kind, threatened with a suit for damages and disgrace besides, his wife should not give countenance by her presence to those who bear him no good will. I love my wife as I do my life, but she has alienated my father, my brother, and my sister. None of them will come near my house. My wife is a jealous woman. She has been on my lap in the past week, and we kissed and hugged each other. We sare angels or devils in our relations. We both have terrible tempers. My business brings me in constant contact with women, and she is continually accusing me of making love or worse to every pretry woman. I have a daughter 9 years old and a son 20."
A lot of letters from Harney to Mrs. Cooney were read. They contained some sentiment. Mr. Harney further testified that he had stopped drinking because Mrs. Cooney had asked him to, and that Mrs. Cooney had led his heart to God. As he was about to leave the stand Mr. Cooney's lawyer asked:

"Where did you and Mrs. Cooney do your praying for divine guidance?"
"At the West End Hotel in Philadelphia," replied Harney.

Mrs. Harney and Mrs. Cooney, who were in the court room while Harney was giving his testimony, smiled at the answer.

"Mrs. Cooney was very low spirited." said Harney, and I was much affected. We both got on our knees and affently prayed."

Mr. Harney smiled triumphantly as he stepped from the stand and resumed his seat by Mrs. Cooney's side. In the afternoon the case was summed up. A decision will be rendered probably next week.

THE DEATH OF KROMELBEIN.

After Shooting Himself, he Was Reported To flave Said a Woman Shot Him,

William Kromelbein, 42 years of age, was ignitor of an apartment house at 1.587 Park avenue for several years, and was discharged by the owner of the house, Henry Michael of 423 East Eighty-fifth street, in September last, because he neglected his duties. Kromelbein lived with his wife and two children in a frame house at Eighty-ninth street and Park avenue. He had had no work since last fall, and was despondent. He spent much of his time in saloons and in hanging around the apartment

despondent. He spent much of his time in saloons and in hanging around the apartment house. On Tuesday last Kromelbein sent his wife to Brooklyn to visit some friends, and after she had gone he went to the cellar of the apartment house at 1.83? Park avenue.

Two shots were heard by tenants in the house, and Kromelbein was found with a bullet in his abdomen. He died in the Presbyterian Hospital. Shortly before he died, as one of the attendants in the hospital told the house surgeon yesterday, Kromelbein said. "A woman shot me."

Coroner Hanly and Dr. Donlin found by an autopsy that the bullet had entered Kromelbein's body in a horizontal line and was lodged near the backbone. Coroner Hanly said it was not impossible that such a wound could have been self-inflicted. When the last words of Kromelbein were reported to him the Coroner impanelled a jury of eight men and proceeded to view the body.

Mrs. Annie Meyer, who lived in the apartment house, saw Kromelbein go into the house shortly before he was found with a bullet in his body. She said resterday: "I was going to the store next door when I saw Mr. Kromelbein coming up the street alone. Soon after he went in I returned to my room and sat down with my daughter in the kitchen near the dumbwaiter that connects with the cellar. I was no more than fairly sented when I heard a report of a revolver in the cellar. A second shot followed. I leaned over the shait and heard a man groan. I ran to the cellar and found Mr. Kromelbein sloce. The pistol had been held so close that his clothes were burned."

Mrs. Kromelbein says her husband was despondent.

Pension Decisions Reversed.

WASHINGTON, April 4.—Assistant Secretary Bussey has rendered a decision upon the application of John P. Davis for a dependent father's pension on account of the death of his son, Samuel P. Davis, formerly of Company G. 100th Ohio Volunteers. The facts connected with the soldier's death as elicited by the evi-

dence are as follows:

In 1863 the soldier was detailed as regimental hospital nurse, and while on duty at Crab Orchard. Ky., one night, feeling ill, he took a swallow of theture of aconice, mistaking it for brandy, a bottle of which was on the same table, from the effects of which he nearly died at the time, and never afterward recovered. He died from disease of the lungs and all the vital organs produced by poison.

The former decision, which held that the soldier's death was not the result of any disability incurred in the line of duty, but the result of his own indiscretion, is reversed, and the application is allowed.

The former rejection of the applications of William L. Warnick, late private of Company F. First Pennsylvania Light Artillery, and John Derenzy, late of Company L. Twelith lilinois Volunteers, is also reversed, and the claims allowed.

New York Conference.

BRIDGEPORT, April 4.—The New York Methodist Episcopal Conference opened this Simonson. A communication was received from the Methodist Book Concern, stating that the year being the one hundredth anniversary of the concern, a special dividend of \$50,000 of the concern, a special dividend of \$50,000 had been declared, and the share of the New York East Conference amounted to \$20,000. The expense of the last General Conference was \$18,85 over and above the receipts, and it was voted to ask from this Conference the sum of \$2,880. It was voted to raise the amount from the churches that had not paid anything toward the Conference fund.

Presiding Elder B. M. Adams of the Brooklyn district presented his report. He has sixty churches under his supervision, and his report gave a flattering account of the prosperity of those in his district.

Presiding Elder W. H. Wardwell of the New York district read his annual report showing the work and prosperity among the churches in his district.

Selling the Contents of a Paris House. The sale of the complete outfit of the Paris house of Mrs. D. M. Hodgkins is now going on at Sam-noise of Mrs. D. M. Hodgkins is now going on at Sam-uel Kreiser's auction rooms, 60 University place. Mrs. Hodgkins formerly lived on the Champs-Elyscos, where she was well known among the American colony of Paris as a most liberal entertainer. Her Paris residence was given up several years ago, and the collection now on sale has for three years past been stored at the Mauhattan storage warehouse. The collection comprises all that one would sapect to find in the home of a person of wealth and taste. It includes a bewildering variety of the sale with carvings after the Fine Empirical Collection with carvings after the Fine Empirical Collection and American Process pointings, tapestries, process paintings, tapestries, process paintings, tapestries, process in two fines by the without and the of the finest places sold yesterday was an ormolu Exyres clock, with rams and Cupid purchased at the Hotel Druot from the sale of the Marquis de Leaville collection. Mr. John S. Hughes bought it for Eff. Among other huyers were Fanenti W. Weisse, J. L. Pindergast, L. A. Launther, Theodore de Johy de sabila John Lynn. John Hoey, Mrs. Robert Nicoli, Mrs. Edward Lauterbach, Norris J. Hirsch, Henry Tuckerman, Mrs. Thompson, Mrs. Miller, and Measra Greene, Linch and Demarest. Vesterday's sales aggregated about Se, 1887. The sale will continue to day and to-morrow. Some of the principal things sold yesterday were: on sale has for three years past been stored at the Man-

the principal things sold yesterday were
Rarr royal Berlin porcelain jar.
In he reception autte, satin and plush
Instan adeboard, carved heads and dragous
Uni Italian chine cabinet.
Ith sofa in silk brocade and plush
Two pair rich silk i ampasse curtains.
Rich Florentine cabinet, carved ornaments
Carrara marble statuette. "At the Brook."
Ormoiu and Sevras clook
Amaranth and brass Empire dressing bureau.
Louis XVI. iniaid amaranth bedstead.
Turkish gold embroidered bedspread.

Last Days of the Hall of Records,

The Special Commission constituted by the act authorizing the erection of a new municipal build-ing met yesterday in the Mayor's office. It consists of the Sinking Fund Commissioners and the Surrogate the County Clerk, and the Register. The act provides that the site of the building shall be that occupied by the engine house, the brown stone court house, and the Hall of Records in the northeast corner of the City limit

Fack.
The commissioners have to determine which of the departments occupying rental quarters shall so into the new building what shall be done with the occupants of the old buildings in the mean time, and to approve the plans.

A survey of the ground was ordered yesterday, and a committee was appelled to dad out what room will be asseed processory to adverting the plans.

NEWS OF THE RAILROADS.

INFORMATION FROM ALL PARTS OF THE RAILWAY WORLD.

Illinois Central Figures that Do Not Lie-A

Successful Land Scheme - The Grand Trunk's Violation of the Inter-State Law A valued correspondent of THE SUN, who apparently does not believe in letting his fellow stockholders of the Illinois Central Railroad forget that their property has been sadly mismanaged by those who are still in control, sends us the following letter:

To the Epiton or The Sus-Sir: I send you berewith an analysis of the annual statements of the Illinois Cen-iral Railroad Company for the past six Fears, from which it will be seen how much the gross and net earn ings of the road under the Fish-Harriman managemen have decreased, while the mileage, capital, and debt have been increasing. The fixed charges of the company in 1888 were \$2.586,657, and will te more rather than less, this year. The lows lines will add little or nothing to the net revenue, so that, unless the business of the road increases very much over last year's, the net earn ince will be only about \$1,0,0,000, or 4 per cent, on the capital of \$40,000,000. The most important table referred to gives

the gross and net earnings per mile and the percentage of gross earnings spent in operat-ing the road. In looking at these results the fact should be borne in mind that when the Fish-Harriman management took hold of the property in 1883 it adopted the policy of adding property in 1883 it adopted the policy of adding branches to the road, on the ground that such acquisitions would increase the earnings of the property. The table that follows shows conclusively that this has not been done; on the contrary, the decrease in both gross and in net earnings has been constant, and at the same time the operating expenses have in-creased: creased:

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Mr. Pond, in his answer, read from the same section of the act, which says that this act shall apply to carriers engaged in the transperiation of passengers or property "from one State or Territory of the Inited States or the District of Columbia to any other State." &c., and said that the word "to" in the two connections was used in precisely the same sense. He doubted if the counsel would admit that it was his opinion that Congress intended in this case to regulate commerce from one State simply to the border of another State.

Mr. Kerchner insisted that it was not within the jurisdiction of Congress to regulate commerce from one State simply in the purisdiction of Congress to regulate commerce into another country. It might very properly, he thought, regulate traffic from a point in the United States so rfrom one State to another, but not into a foreign country. He said that the question involved was one of the greatest importance, and requested to be allowed ten days within which to file a printed brief in support of his position, which was granted.

The following statement relative to the Aztec Land and Cattle Company was furnished for publication yesterialy by the St. Louis and San Francisco, which jointly with the Atchison Commany owns the Atlantic and Pacific, and is therefore interested in the success of the land concern:

"The Aztec Land and Cattle Company with the Atchison Commany owns the Atlantic and Pacific Railrond, Company in 1885, has just consummated at the price of \$4.50 per acre to those lange at the price of \$4.50 per acre to the hose lange at the price of \$4.50 per acre to the service and a sale, for a colony of about 2,000 agricultural settlers, of a considerable trac of those lange at the same price will be effected next month. This is an important move toward the development of the agricultural resources of northern Arizona, and his had been proposed to the Atlantic and Pacific Railrond. The Aztec Company has a population from another colony which desires to purchase land in that locali

The Hudson Bay Railroad. WINNIPEG. April 4 .- The Hudson Bay Rail-

WINNIPES, April 4.—The Hudson Bay Rall-road project dies hard, the Manitoda Legislature having repealed the act offering a guarantee upon \$4,500,000 for twenty-five years in aid of the scheme, and reducing the aid to a cash emissive of \$5,000.00. The promoters of the project are now seeking to induce the British flor-trument to interfere and disaline this legislation, on the ground that vested interests had been created on the strength of promised aid. The imperial discern-ment has here educe persistently refused to interfere, and the gravin-ind legislature is not inkely to make a new departure now.

NASHVILLE, April 1 - A collision between freight trains occurred this morning at Erown's cross road, three miles from this city, on the Nashville and Decatur Railroad. Bethempines and sixteen care were totally wrested and Braset C. Green and M. L. Eby, brakemen, were filled. Albert Finch, freman, was severely hur. The collision was caused by a misunder contains of cross.

The True Way To Fleach Boils

To CURE Eczema, Pimples, and Eruptive Diseases of all kinds is to purify the blood with Ayer's Sarsa-immediate, and salutary results.

The current of the sattering and severe cutaneous disease, which brows the severe cutaneous disease, which broke out at intervals and resisted treatment, At last, we tried Ayer's Sarsaparilla. This acted like magic. She is now entirely cured and has been in perfect health for several months,"—Margaret Peyston, Clarendon, Ark.

"For a long time I was afflicted with salt-rheum, and could find nothing to relieve me. A friend recommended

Ayer's Sars

Ayer's Sars

Saparilla, and after taking four bottles I was curred. "La Ayer's Sars

Ayer's Sars

Saparilla, and after taking four bottles I was curred. "La number of carbuncles on my neck and after taking four bottles I be pan to take Ayer's Sars

Ayer's Sars

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Saparilla, and after taking four bottles I was curred. "La number of carbuncles on my neck and after taking four bottles I be pan to take Ayer's Sars

parilla, and after taking four bottles I was curred. "La number of carbuncles on my neck and back, with swellings in my arm at sa, and was tormented with pain alm sit beyond endurance. All means of roller of which medicine was the alternation of the parity of the magic. She is now entirely cured and has been in perfect health for several months."—Margaret Peyston, Clarendon, Ark.

"For a long time I was afflicted with salt-rheum, and could find nothing to relieve me. A friend recommended to the parity of the parity of

Made by Dr. J. C. Ayer & Co., Lowell, Mass. | Pr ice \$1; six bottles, \$5. Worth \$5 a bottle.

HARRISBURG, April 4 .- There was another

move in the Dauphin County Court to-day in

the suit of the Commonwealth against the Western Union Telegraph Company, an action to compel forfeiture of the company's charter for alleged consolidation with the Baltimore

and Ohio Telegraph Company. Messrs. Silas W. Pettit and M. E. Olmstead. for the Western

Union, presented the pleas and also a petition

for removal of the suit to the United States Cir-

Union, presented the pleas and also a petition for removal of the suit to the United States Circuit Court at Philadelphia. Similar pleas and petitions were presented by counsel for the Baltimore and Ohio Company. Attorney-General Kirkpatrick opposed the removal. Hearing of argument was fixed for April 17.

The Western Union in lis plea, after saying that it had accepted the provisions of the act of Congress of 1886 relating to the use of telegraph lines for postal, military, and other purposes, says that it does business in Pennsylvania and from points within to points without and from peints without to points without and from peints without to points within, and that such communication of intelligence is commerce between the States within the meaning of the Constitution of the United States. The Baltimore and Ohio Telegraph Company was engaged in like commerce in 1887. The Western Union therefore denies that it or the Baltimore and Ohio are subject to the Constitution and laws of Pennsylvania. It admits that it has acquired substantially the who lestock of the Baltimore and Ohio Telegraph Company, but that it has not consolidated with the said company. It also denies that the Baltimore and Ohio Company owned a connecting line of telegraph. It further denies that it holds any part of the capital stock of the Baltimore and Ohio Telegraph Compruny of Pennsylvania or that it at any time consolidated with said company.

LOST HER LIFE IN THE NURSE BY

Bella Watson Dies of Searlet Fever Car grht

Bella Watson, 25 years old, died on Wer ines

day of scarlet fever in the Randall's I sland Nursery. She will be buried at St. Catha rines.

Ont. She was one of the nurses, and c aught

ont. She was one of the hurses, and c aught the disease from Walter Hutmacher, a baby who died on March 31. Dr. Cyrus Edsor, said yesterday that he didn't believe scarlet was coldenic on Randall's Island. as I has not been notified to that effect. He said that there never had been a time when there much scarlet fever in the city as at prese fortunately the death rate was low.

They Let a Would-be Suicide Esc ape. Capt. Reilly took Edward L. Merrifle' kl. pro-

terday afternoon and charged that they cone saled the

The Aldermen are greatly exercis ad over a report from Albany that Corporation Couns at Beekman a opposing the bill to permit the city to s and \$15,000

for Washington contennal freworks. May avor Grant and that he did not know anything abo at that on account of the condition of the at Mr. Heek that on account of the condition of the leek man, with his approval, he opposing all folia calling for an expenditure of money that the Myor has not carefully considered.

Howard Carroll Lent Campanin i \$1,000. Application was made yesterds y to Chief Instice McAdam of the City Court for the vacating of

Justice Maddam of the City Court for the evacating of an attachment against the property of Ital & Campanini, the senor. The Lincoln National Bank sund on a note for Fi, well given to thoward and the country of the sund of the sund of the sund of the sunday of the sun

President Dobler to Take a Bride. John W. B. Dobler, President c & the West

Side Bank, will be married on April 30 to , Miss Horn of Baltimore. Mr. Dobler is a widower of 6 3, and has one

son and two daughters. One of the latt sr was recently married to the only son of Mr. James 6: sylor, Assistant Postmaster of New York. The prosp softwe bride is about 39. After a short wedding trip in a couple will go to the bome of the groom at Ridgew: sed Park, N. J., where they will spend the summer.

A Rold Dash for Four C brave.

A respectably dressed man ente gred the cigar store at 118 Bowery yesterday and said that he wanted to buy a box of cigara. Lawrence McG mth, the propri-

to may a box or eigers. Lawrence Mett mith, the propri-ctor, showed him several boxes, and the man suddenly look four eigers out of a box and ran out of the store lie was captured. He said he was if irpest J. Carter aged 20 years, of 543 Haisey street, B: coktyn. He ap-peared to be intuitised. He was he! J. on a charge of larceny in the Essex Market Police Cot. It.

Mrs. Polsom Denies the M lorphine.

The taking of testimony in the suit of Clare

Louise Poisom for limited divorce from , John G. Foison was concluded yesterday in the Court of Common Pleas

Several witnesses testified that Mrs. Polsom took mor phine, and was cold and crasky, while Mr. Polsom was a kind and loving husband. Mrs. Pol. Jon. went on the stand and denied that she took mo rphine. Decision was reacroed.

Young Mr. Reld Accused of Forgery.

Herbort L. Roid, a member of the Young Men's Christian Association of Jersey (is y, is accused of forging fifteen checks for sums amount of g to \$200. It is said that it was his habit to contract bills at stores and to pay them with the worthless sheeks which got one of the checks notified it y police on Wednesday. Young Mr. Reid field, and was braced to Elmira. The police there are looking for him.

\$25,000 for the Loss of a Leg Charles F. Carlson, who had an ie of his legs so badly crushed while at work in the construction of the Kings County Elevated Railroad what it had to be

amputated, sucd the Phornix Bridg a Company, which had the contract for building the ros 1. for \$25,000 dam agra A jury in the Supreme Court, Brooklyn, seater day, gave a wordict for the plain 3 f for the entire amount claimed.

102 Years Oh L

Mary Wilson McHenry died pestorday at the Home of the Aged, in Berkimer at rest Brooklyn. According to the records of the institution sile was born in Ireland on Buc. 3, 1784, and was therefore over 102 years, and had lived in Brooklyn for Shiry years.

The Board of Health has asked Drs. T. M.

Prudden, H. M. Higgs. and H. P. Loomis, pathologist.

of the department to prepare a statement regarding the contagonances of tuberculost i and to suggest the simplest means of protection again 5 the disease.

From a Randall's Island Baby.



THE WESTERN UNION'S PLEA. It Admits that it Owns the B, and O. Com-

Substantial

Bargains. White Marseilles bed spreads, very fine quality \$3.00 Colored fancy bed spreads 2.25

Cheese cloth Comfortables These goods are new, very desirable, and much below the regular price.

Lord & Taylor,
Proadway and Twentieth Street.

A WARRANT FOR PRESIDENT NILES

His Bank Owns the Blion Cafe Run by the

French Madame. President Nathaniel Niles of the Tradesmen's National Bank. 291 Broadway, was disagreeably surprised yesterday when a court offieer called at the bank with a warrant and took him off to Jefferson Market Court, where he was accused of letting the Bijou Café, at 40 West Twenty-ninth street, as a disorderly West Twenty-ninth street, as a disorderly house. Effiza Poiret, the tenant, known as the French Madame, was a prisoner also.
Paul Latzke, a reporter, swore that President Niles owns the house and furniture, and tets the house to Eliza Poiret, and that she keeps a disorderly house there and violated the Exclassical March 25. She gave \$600 ball. Mr. Niles explained that the Tradesmen's National bank had to take the house for a debt, and that as the deed had to stand in somebody's name it stood in his name. Justice Duffy paroled Mr. Niles and adjourned the examination to April 17 at Essex Market.

The Mother of Baby McKee and the Benedict Party in Charleston.

terday afternion and charged that they cone saled the name of a young girl who had attempted sule the hotel on Saturday and had belped her to escal a. Mr. Mernfeled told Judge Buffy that the w. man had taken chioroform and had turned on the c. as in her room. When she was found she was uncone gons. He sent for doctors who saved her life. He doe not know who she is nor where she came from: She lot at the hotel after she recovered.

19. Tevis said that he had attended the w. mid-be suicide and restored her to life. Judge Buffy said: "If that is all you know you may go home." CHARLESTON, April 4 .- The mother of Baby McKee, in company with Senator Davis and the other members of his party, arrived here early this morning. The forenoon was spent in driving around the city. At noon a number of ladies and gentlemen called upon them, and this afternoon a special excursion party was made up for a visit to Magnolia Gardens on the Ashley. The visitors were provided with a special train, and were chaperoned by Mr. and Mrs. J. L. Weber, Mrs. J. C. Hemphill, and other

Mrs. J. L. Weber, Mrs. J. C. Hemphill, and other distinguished Charlestonians. The visit to Magnolia Gardens, said Mrs. McKee, was a revelation. She had never seen such a profusion of azellas and japonicas in her life. Her only regret was that her mother and Baby McKee were not with her to enjoy the trip. The party left here for Savannah to-night.

On the same train with the McKee-Davis party arrived Mr. E. C. Benedict and his party. Mr. Benedict is the owner of the yacht Oneida, which recently arrived here from New York, and on board of which occurred the death of Mrs. Fingler. Mr. Benedict is accompanied by his youngest daughter. Mr. L. L. Benedict, Mr. Richard Halstead, and Miss Caroline Shippam. The party spent four hours in the city, and then embarked on the Oneida, which has been up in the marine railway for repairs. The Oneida sailed at 11 A. M., and goes direct to Nassau, Mr. Benedict said that he intended to cruise around the Windward Islands for a fortnight, and would then return to St. Augustine, whence he would gradually work his way North.

Bench Warrant for a Postmaster.

PHILADELPHIA, April 4 .- A bench warrant has been issued at the instance of United States District Attorney Read for the arrest of Henry H. Marshall, the Postmaster at St. Clair. Schuylkill county, who is supposed to be in New York. The official is charged with un-New York. The official is charged with un-lawfully using the money order system to further speculations with bucket shop brokers. Some months ago several bucket shop brokers, were arrested at Reading, and were tried and acquitted in the United States District Court of the charge of conspiracy with the Postmaster to cheat and defraud through money orders. Marshall left the place and could not be found, and now, as he is located in New York, a bench warrant has been issued for his arrest.

Hanged Himself to a Bell Knob.

PHILADELPHIA, April 4 .- At 4 o'clock this morning a policeman found the body of a man with his throat cut and hanging by a short rope to the bell knob at the door of 922 South Third street. The suicide was found to be Gottlieb Wechter of Wilmington, Del., and on Gottlieb Wechter of Wilmington. Del., and on rousing the immates of the house it was learned that the suicide's wife was living there with a man named faurtz. The woman said her husband had abused her to such an extent that she was compelled to leave him. She came to this city several days ago. The night she left Wilmington, she says, he chased her around the house with a knife. Wechter, who had been on a prolonged debauch, had followed his wile to this city, and in a saloon yesterday vowed that he would kill her if he found her.

Спісасо, April 4.- Mrs. Kittie G. Post, the wife of Alfred Post of Freight-Claim Bureau notoriety, has come to Chicago from New York and is endeavoring to save out of the wreck of and is endeavoring to save out of the wreck of Post's Chicago belongings enough to keep her from starving. In the County Court this morn-ing she filed a petition to have her right to the property left by Post in his residence on Wa-bush avenue ascertained and determined. The household effects, horses, and carriages of Post were about all the assets his hungry cred-itors found to selze. This property, Mrs. Post says, belongs to her, and she believes the court will so decide when it has heard her grounds for asserting title.

Took Carbolle Acid for Paregorie. Ansonia, April 4. - Mrs. Catherine A.

Buchauan came to Ansonia from New York with her two daughters and a son five months ago to live. Her husband remained in New York at work, Last night Mrs. Buchanan awake at 11 o'clock with neuralgie rains. She went down stairs and lighted a lamp in the litchen. Then she went to the pautry, and in the obscure light reached for a bottle of paregoric, instead she got a bottle of carbolic acid and drank a big dose. She died in twenty minutes.

Thomas Higgins, a linema n employed by the cateri Union Selegram Compa. N. was held to answer in the Vortylle Court Vester day I or stringing telegram irres through East Turty third s. rect.

Collector Magon o Back. Collector Magone retirrne: I from Washington resteries, He had laft his restirt atton in the hands of becretery Windom, to be a respect when it may be con remient.